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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**IN RE CAPACITORS ANTITRUST
LITIGATION**

Case No. 3:14-cv-03264-JD

This Document Relates to:

All Actions

**STIPULATION AND ~~PROPOSED~~
ORDER REGARDING FTAIA BRIEFING
SCHEDULE AND HEARING DATE**

1 WHEREAS, the Court set a briefing schedule regarding Defendants' Motion for
2 Summary Judgment Regarding the FTAIA, as follows: October 1, 2015 for Defendants' motions,
3 October 30, 2015 for the Direct Purchaser Plaintiffs ("DPPs"), Flextronics, and the Indirect
4 Purchaser Plaintiffs' ("IPPs") (collectively "Plaintiffs") opposition, November 20, 2015 for
5 Defendants' replies, and a hearing date of December 9, 2015;

6 WHEREAS, on October 1, 2015 Defendants filed a summary judgment motion against
7 the DPPs and Flextronics (ECF No. 915), supported by twenty (20) fact declarations (ECF Nos.
8 915-1 through 916-10);

9 WHEREAS, also on October 1, 2015 Defendants filed a summary judgment motion
10 against the IPPs (ECF No. 911), supported by fourteen (14) fact declarations;

11 WHEREAS, the DPPs, Flextronics and IPPs desire to take depositions of the fact
12 declarants or otherwise depose the persons most knowledgeable (Fed. R. Civ. P. 30(b)(6)) regarding
13 topics relevant to the declarants' declarations in advance of filing their respective oppositions;

14 WHEREAS, the parties have met and conferred about a schedule for deposing the
15 witnesses and Defendants are unable to produce all witnesses prior to October 30, 2015, the date by
16 which Plaintiffs must file their oppositions;

17 WHEREAS, the parties believe a modest adjustment to the briefing schedule on the
18 FTAIA summary judgment motions is necessary to ensure that the witnesses may be deposed
19 sufficiently in advance of the filing of Plaintiffs' opposition briefs;

20 WHEREAS, the parties have met and conferred and reached agreement as set forth
21 below.

22 **THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the
23 parties, that:

- 24 1. Plaintiffs' opposition briefs shall be filed on November 23, 2015;
- 25 2. To the extent that Plaintiffs offer any declarations or affidavits in support of their
26 respective opposition briefs, Plaintiffs agree to make those declarants or affiants available for
27 deposition prior to December 8, 2015;

1 3. Defendants' reply briefs shall be filed on December 18, 2015;

2 4. Oral argument on Defendants' motions and the quarterly status conference shall
3 be held on January 13th or at a date and time in January that is convenient for the Court.

4 **IT IS SO STIPULATED.**

5
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1 Pursuant to Civil Local Rule 5.1(i)(3), I attest that all other signatories listed, and on whose
2 behalf the filing is submitted, concur in the filing's content and have authorized the filing.

3
4 Dated: October 19, 2015

/s/ Steven N. Williams
STEVEN N. WILLIAMS

5
6 **PURSUANT TO STIPULATION AND FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.**

7
8
9 Dated: October 21, 2015


HONORABLE JAMES DONATO
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